

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION**

**JAMES SURRETT AND WIFE, SALINA R. SURRETT,
AND SURRETT FAMILY TRUCKING, INC.**

PLAINTIFFS

VS.

CAUSE NO. 1:19-cv-00005-GHD-DAS

**TRACTOR SUPPLY COMPANY AND
JOHN DOES 1-5**

DEFENDANT

FINAL JUDGMENT

THIS CAUSE, came before the Court for jury trial commencing October 4, 2021 with the Court having jurisdiction over the parties and the subject matter. All parties appeared personally and were represented by counsel. After the parties announced ready for trial, there came on a jury of eight (8) good and lawful men and women who, being duly qualified, sworn and empaneled, did hear the evidence and the arguments of counsel and received the instructions of the Court. Once both sides presented evidence and ultimately rested their cases, on October 6, 2021, the jury retired to consider their verdict, and returned into the Court, the following, to wit: "We the jury find in favor of the Defendant." *See* Jury Instruction attached to this judgment. The jury was polled, and the vote was unanimous in favor of the Defendant.

IT IS THEREFORE ORDERED AND ADJUDGED that any and all claims of the Plaintiffs, James Surratt and wife, Salina R. Surratt, and Surratt Family Trucking, Inc., against Defendant, Tractor Supply Company, are hereby dismissed with prejudice. All costs shall be borne by the respective parties and this constitutes a Final Judgment in this matter.

SO ORDERED AND ADJUDGED this the 1st day of November, 2021.



SENIOR JUDGE GLEN H. DAVIDSON
UNITED STATES DISTRICT JUDGE

PREPARED BY:

/s/ Michael E. Phillips

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SPECIAL VERDICT FORM

In returning your verdict in this case, you are to consider all of the facts and instructions of law given to you, and then return your verdict by completing this form. When a verdict has been reached all of you, write out your answers to the following questions on this form and notify the bailiff that you have reached your verdict.

(1) Do you find from a preponderance of the evidence that the Defendant was guilty of any negligence (fault) which was a proximate contributing cause of the Plaintiffs' injuries?

_____ Yes

X _____ No

If your answer to Question No. 1 is "no," go no further and notify the bailiff that you have reached a verdict. If your answer to Question No. 1 is "yes," proceed to Question No. 2.

(2) Do you find from a preponderance of the evidence that Plaintiff James Surratt was guilty of any negligence (fault) which was a proximate contributing cause of his injuries?

_____ Yes

_____ No

If your answer to Question No. 2 is "no," then proceed to answer Question Nos. 5 and 6. If you answer to Question No. 2 is "yes," then proceed to answer Question Nos. 3 and 4.

(3) State the percentage of negligence (fault) for the Defendant: _____ percent.

(4) State the percentage of negligence (fault) for the Plaintiff: _____ percent.

EXHIBIT A

THE TOTAL PERCENTAGES IN QUESTIONS NUMBERED 3 AND 4 MUST
EQUAL 100 PERCENT.

- (5) *Without regard to any percentage of negligence*, what is the total amount of damages incurred by Plaintiff James Surratt as a result of the incident in question? \$ _____
- (6) *Without regard to any percentage of negligence*, what is the total amount of damages incurred by Plaintiff Salina R. Surratt as a result of the incident in question? \$ _____

Again, **DO NOT** concern yourselves with the percentages you determined in questions (3) and (4) when answering question (5) and (6) as the Court will deal with these in the manner provided by law.

Dated this 6th day of October, 2021.

Mark Cuff 10-6-21
Foreperson & Judge